

Message Text

LIMITED OFFICIAL USE

PAGE 01 MOSCOW 15784 070832Z
ACTION EUR-12

INFO OCT-01 CA-01 ISO-00 SCS-06 L-03 JUSE-00 INSE-00
CIAE-00 INR-10 NSAE-00 /033 W
-----041659 070843Z /10
P 070826Z JUL 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC PRIORITY 4014
INFO AMCONSUL LENINGRAD

LIMITED OFFICIAL USE MOSCOW 15784

E.O. 11652: N/A
TAGS: CGEN, CFED, UR (MENDELSON, MARTIN) (BELOTE, THOMAS)
SUBJECT: WAR CRIMES CASES: TRAVEL OF INS ATTORNEYS

REF: (A) STATE 168192, (B) STATE 167921, (C) MOSCOW 14331

1. MFA USA DIVISION SECOND SECRETARY YU. F. BABENKO
TELEPHONED CONSULAR COUNSELOR JULY 6 TO INFORM HIM THAT
APPOINTMENT IN RIGA FOR MESSRS. MENDELSON AND BELOTE
WITH LATVIAN PROCURATOR HAS BEEN ARRANGED FOR JULY 12.
2. COUNSELOR COMMENTED THAT IN VIEW OF THE TWO ATTORNEYS
ARRIVAL IN MOSCOW JULY 11, THERE WOULD BE NO TIME FOR
THEM TO MEET WITH SOVIET OFFICIALS IN MOSCOW PRIOR TO
TRAVEL TO RIGA. HE THEN ASKED IF APPOINTMENT IN RIGA
COULD BE SET BACK A DAY OR TWO TO PERMIT MEETINGS WITH
APPROPRIATE SOVIET OFFICIALS IN MOSCOW. BABENKO REPLIED
THAT JULY 12 APPOINTMENT DATE WAS FIRMLY FIXED AND COULD
NOT BE ALTERED. HE STATED THAT WITNESSES WERE CALLED TO
BE AVAILABLE IN ACCORDANCE WITH THAT TIME FRAME. IN
RESPONSE TO COUNSELOR'S QUERY, BABENKO STATED THAT INS
ATTORNEYS WOULD BE PERMITTED TO STAY IN RIGA FIFTEEN DAYS.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MOSCOW 15784 070832Z

3. BABENKO ALSO REPLIED TO QUERY, PER REFTEL B, ON WHO
WOULD SWEAR IN WAR CRIMES WITNESSES IF AND WHEN FORMAL
DEPOSITIONS ARE TAKEN. BABENKO STATED THAT UNDER SOVIET
(AND LATVIAN) LAW, WITNESSES ARE NOT SWORN UNDER OATH.
NEVERTHELESS, HE ADDED, WITNESSES WHO DELIBERATELY GIVE
FALSE TESTIMONY ARE PENALIZED (UP TO FIVE YEARS IMPRISON-
MENT IN LATVIA), AS INDICATED PARA ONE C, MOSCOW REFTEL.

4. COMMENT: WE BELIEVE THAT JULY 12 APPOINTMENT IN RIGA WAS DELIBERATELY ARRANGED TO PRECLUDE POSSIBILITY OF MEETINGS WITH SOVIET LEGAL OFFICIALS IN MOSCOW. ALTHOUGH WE CAN ONLY SPECULATE ON REASON, SOVIETS MAY BE CONCERNED THAT US ATTORNEYS MIGHT RAISE POSSIBLY EMBARRASSING QUESTIONS REGARDING SUCH MATTERS AS SPATE OF RECENT AND FORTHCOMING DISSIDENT TRIALS, CRAWFORD CASE, US JOURNALISTS' SLANDER TRIAL. THERE WOULD ALSO BE THE POSSIBILITY OF WESTERN CORRESPONDENTS ASKING INS ATTORNEY FOR THEIR COMMENTS ON SUCH MATTERS. IT WOULD, OF COURSE, BE EASIER FOR LATVIAN AUTHORITIES IN RIGA THAN FOR ALL-UNION OR RSFSR OFFICIALS TO SHRUG SUCH QUESTIONS OFF WITH ASSERTIONS THAT THOSE MATTERS ARE NOT WITHIN THEIR COMPETENCE. END COMMENT.

5. EMBOFF WILL MEET MESSRS. MENDELSON AND BELOTE UPON THEIR ARRIVAL PA66 ON JULY 11. CONSULAR COUNSELOR AND WIFE PLAN TO ACCOMPANY THEM TO RIGA. TOON

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 07 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MOSCOW15784
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780278-1140
Format: TEL
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780786/aaaaculb.tel
Line Count: 81
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 265f6479-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 168192, 78 STATE 167921, 78 MOSCOW 14331
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2088241
Secure: OPEN
Status: NATIVE
Subject: WAR CRIMES CASES: TRAVEL OF INS ATTORNEYS
TAGS: CGEN, CFED, UR, (MENDELSON, MARTIN), (BELOTE, THOMAS)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/265f6479-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014